

Cochran, Patricia (DCOZ)

From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, June 1, 2022 12:04 PM
To: Bardin, Sara (DCOZ); support@dcra.mail.kustomerapp.com; Cochran, Patricia (DCOZ); ATD DCOZ; Planning; ANC 4B Office (ANC 4B); Reid, Robert (DCOZ); Roberts, Erin (DCRA); LeGrant, Matt (DCRA); Cooper, Quito (DCRA); Johnson, Katrina (DCRA); Reiss, Jeff J. (DCRA); Beeton, Kathleen A. (DCRA); Bolden, Tarek (DCRA); denglebert1@outlook.com; DCOZ - BZA Submissions (DCOZ); Chrappah, Ernest (DCRA)
Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required
Attachments: 5912 9th Street NW HOA Letter to DCRA, 2018JAN[22].pdf; Inspection report working draft Edit.docx; Timeline_of_Contact_By_Unit2_Mohammad.docx; 5912 CofO, Nov 2016.pdf; Issues At 5912 9th Street NW.docx; Plat.pdf; Bylaws (recorded).pdf; Declaration (recorded).pdf; Mohammad Written Testimony - Committee of the Whole.docx

Follow Up Flag: Follow up
Flag Status: Completed

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I'd like to state at the top that all exchanges and attachments in this email thread be added to the official DCRA and BZA record as it pertains to this building.

Thank you for the clarifications, Ms. Bardin. You will find documents to prove this is a falsification attached. If there is more you need, please let me know.

Additionally, all the proof that is needed is in the SCOTUS tool. There are four legal units and an a fifth illegal construction, yet BZA and DCRA have allowed the illegal construction owner, *SC Holdings, Peabody LLC* to raise zoning and permit requests on behalf of the entire building without the HOAs approval or notification.

Mr. Rohan Reid – I need to hear from you on cancelling the open permit **B2107726** immediately. If DCRA does not intend to cancel it, I need DCRA's legal counsel to share why not. I've got Erin Roberts on this email and she has the history as someone who has serviced FOIAs for this building in the past.

Ms. Sara Bardin – I ask that BZA cancel the proposed hearing and [Special Exception case](#) immediately. *SC Holdings, Peabody LLC* falsified information in claiming to have majority ownership of the structure and that is a serious offense punishable by fines and imprisonment. If BZA does not intend to cancel it, I need BZA's legal counsel to share why not.

I encourage both DCRA and BZA to consider the precedent you're setting by not taking swift action against a crime punishable by the law against *SC Holdings, Peabody LLC* (**D.C. Official Code § 22 2405**).

Attached you'll find:

- Notice of Unauthorized Permitting letter sent to DCRA

Board of Zoning Adjustment
District of Columbia
CASE NO.20760
EXHIBIT NO.21

- Inspection report; this is not the only inspection that has happened post purchase but enough information for BZA and DCRA
- Unit 2 Timeline of Contact with nefarious developer and financier. I have not updated this since 2018 so it doesn't capture all the recent events.
- Latest CoFo for four units. This CoFo does not include the illegal construction on top of the four units who is attempting to get permits and zoning exemption without even being recognized as a legal entity.
- Recorded Plat, HOA Declaration and Bylaws confirming the HOA has formed and is the rightful owner of the structure
- Written Testimony that was presented to Committee of the Whole

I've maintained rigorous documents and records, including those shared above. I sincerely hope that DCRA and BZA will do the right thing and not allow a nefarious developer/builder/financier to abridge the rights of first time homeowners. While morally and ethically that is the right thing to do, it is also your legal obligation.

If there is negotiation to be had, the HOA is open to getting to the same table with BZA, DCRA and *SC Holdings, Peabody LLC* to strike a win-win-win-win.

Though, admittedly my interactions with Mr. Snider of *SC Holdings, Peabody LLC* thus far only led to him stating the following:

“If you interfere with our efforts to obtain the CoFo by communicating with DCRA, it may harm our ability to obtain the CoFo and inure to the detriment of the Association and us. Kind regards.” – Steve Snider

I ask the HOAs rights as the majority and legal owner of the structure at 5912 9th Street NW be respected and the permit and Zoning special exemption applications in question be cancelled immediately.

I look forward to your response and will follow-up in two days.

Best,
-Mohammad

From: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Date: Wednesday, June 1, 2022 at 10:07 AM

To: Mohammad Hassan <hassan9291@gmail.com>, support@dcra.mail.kustomerapp.com <support@dcra.mail.kustomerapp.com>, Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>, ATD DCOZ <dcoz@dc.gov>, Planning <Planning@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>, Reid, Robert (DCOZ) <robert.reid@dc.gov>, Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>, LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>, Cooper, Quiton (DCRA) <quition.cooper@dc.gov>, Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>, Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>, Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>, Bolden, Tarek (DCRA) <tarek.bolden@dc.gov>, dinglebert1@outlook.com <dinglebert1@outlook.com>, DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>

Subject: RE: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

Corrections are as follows:

Recap:

- Ms. Bardin let us know that to her knowledge, she hasn't seen ~~this kind of alleged falsification in a case~~ ~~cases of this gravity wherein false statements for permit and zoning applications were made~~ and will be reviewing the legitimate concerns with her legal team next week and follow up;

- Ms. Bardin acknowledged ~~that there is a possibility that the applicant may withdraw the case this likely will not make it to hearing~~ if Mr. Hassan files documents proving that the applicant does not have the authority to file the case on behalf of HOA. since the application was raised by an unauthorized party who does have rightful ownership of the building;
- Mohamad asked Ms. Bardin, what records the BZA reviews in establishing the legitimacy of an applicant as the rightful party to raise the Zoning request? She acknowledged all of the BZA forms for applications mention false statements cannot be made. I discovered one such form [here](#) and have put the verbiage below;
 - I/We hereby certify that the information contained on the application for the relief filed with the Zoning Commission is true and correct to the best of my/our knowledge, information, and belief.
Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of **D.C. Law and subject to a fine of more than \$1,000 or 180 days' imprisonment or both. (D.C. Official Code § 22 2405.)**
- If somehow this does make it to hearing which I suspect it will not, given D.C. Official Code § 22 2405 above and false statements made, Ms. Bardin ~~suggested~~ **explained the option for** the HOA ~~receive~~ **to apply for** party status for the cross examination and prepare in advance and submit documents to the official record.

Sara

Sara Bardin
Director



Office of Zoning | District of Columbia Government
www.dcoz.dc.gov | sara.bardin@dc.gov

441 4th Street, NW | Suite 200-S | Washington, DC 20001
(202) 727-5372 (office) | (202) 727-6072 (fax)

From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, May 27, 2022 11:45 AM

To: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; support@dcra.mail.kustomerapp.com; DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>; Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>; ATD DCOZ <dcoz@dc.gov>; Planning <Planning@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>; Reid, Robert (DCOZ) <robert.reid@dc.gov>; Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>; LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>; Cooper, Quiton (DCRA) <quition.cooper@dc.gov>; Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>; Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>; Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>; Bolden, Tarek (DCRA) <tarek.bolden@dc.gov>; dinglebert1@outlook.com

Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

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Ms. Bardin,

Please make any necessary corrections to the record. That was the understanding that myself and Ms. Englebert had after we debriefed after talking to you.

Best,
-Mohammad

From: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Date: Friday, May 27, 2022 at 11:40 AM

To: Mohammad Hassan <Hassan9291@gmail.com>, support@dcra.mail.kustomerapp.com, support@dcra.mail.kustomerapp.com, DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>, Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>, ATD DCOZ <dcoz@dc.gov>, Planning <Planning@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>, Reid, Robert (DCOZ) <robert.reid@dc.gov>, Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>, LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>, Cooper, Quiton (DCRA) <quiton.cooper@dc.gov>, Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>, Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>, Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>, Bolden, Tarek (DCRA) <tarek.bolden@dc.gov>, denglebert1@outlook.com <denglebert1@outlook.com>

Subject: RE: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

Mr. Hassan:

I think you misunderstood our conversation. I did not say some of what you have characterized. I am very disappointed that you presented it this way.

Sara

Sara Bardin
Director



Office of Zoning | District of Columbia Government
www.dcoz.dc.gov | sara.bardin@dc.gov

441 4th Street, NW | Suite 200-S | Washington, DC 20001
(202) 727-5372 (office) | (202) 727-6072 (fax)

From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, May 27, 2022 11:38 AM

To: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, support@dcra.mail.kustomerapp.com; DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>; Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>; ATD DCOZ <dcoz@dc.gov>; Planning <Planning@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>; Reid, Robert (DCOZ) <robert.reid@dc.gov>; Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>; LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>; Cooper, Quiton (DCRA) <quiton.cooper@dc.gov>; Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>; Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>; Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>; Bolden, Tarek (DCRA) <tarek.bolden@dc.gov>; denglebert1@outlook.com

Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

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Hi DCRA, BZA,

Myself, Ms. Englebert and Ms. Sara Bardin finished our call. Thank you Ms. Bardin for your time.

Recap:

- Ms. Bardin let us know that to her knowledge, she hasn't seen cases of this gravity wherein false statements for permit and zoning applications were made and will be reviewing the legitimate concerns with her legal team next week and follow up;
- Ms. Bardin acknowledged this likely will not make it to hearing since the application was raised by an unauthorized party who does have rightful ownership of the building;
- Mohamad asked Ms. Bardin, what records the BZA reviews in establishing the legitimacy of an applicant as the rightful party to raise the Zoning request? She acknowledged all of the BZA forms for applications mention false statements cannot be made. I discovered one such form [here](#) and have put the verbiage below;
 - I/We hereby certify that the information contained on the application for the relief filed with the Zoning Commission is true and correct to the best of my/our knowledge, information, and belief.
Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of **D.C. Law and subject to a fine of more than \$1,000 or 180 days' imprisonment or both. (D.C. Official Code § 22 2405.)**
- If somehow this does make it to hearing which I suspect it will not, given D.C. Official Code § 22 2405 above and false statements made, Ms. Bardin suggested the HOA receive party status for the cross examination and prepare in advance and submit documents to the official record.

Mr. LeGrant,

Please find attached the email that your office received when the original **Notice of Unauthorized Permitting at 5912 9th Street NW** was sent to the official DCRA record with you on the email.

Mr. Reid,

I look forward to hearing from you on the permit **B2107726** which is an unauthorized permit request by SC HOLDINGS PEABODY LLC. **Please have the permit rescinded and/or cancelled immediately.**

The Project Dox on this permit was first accepted on **2021-05-10**, which is after the attached email and Notice of Unauthorized Permitting sent to DCRA Director Bowling, Mr. LeGrant, Mr. Charles Thomas and Ms. Lynn Underwood on **2018-01-31**.

Mr. Reid, can you also let me know how we can avoid unauthorized permitting at this building permanently? Is there a way you can leave a note on the property and file.

Best,
-Mohammad

From: Mohammad Hassan <hassan9291@gmail.com>

Date: Friday, May 27, 2022 at 10:06 AM

To: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, support@dcra.mail.kustomerapp.com

<support@dcra.mail.kustomerapp.com>, DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>, Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>, ATD DCOZ <dcoz@dc.gov>, Planning <Planning@dc.gov>, Reid, Robert (DCOZ) <robert.reid@dc.gov>, Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>, LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>, Cooper, Quiton (DCRA) <quition.cooper@dc.gov>, Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>, Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>, Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>, rek.bolden@dc.gov <rek.bolden@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Cc: denglebert1@outlook.com <denglebert1@outlook.com>

Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

Myself and Ms. Englebert will give you a ring then.

Best,
-Mohammad

From: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Date: Friday, May 27, 2022 at 9:56 AM

To: Mohammad Hassan <hassan9291@gmail.com>, support@dcra.mail.kustomerapp.com <support@dcra.mail.kustomerapp.com>, DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>, Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>, ATD DCOZ <dcoz@dc.gov>, Planning <Planning@dc.gov>, Reid, Robert (DCOZ) <robert.reid@dc.gov>, Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>, LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>, Cooper, Quiton (DCRA) <quition.cooper@dc.gov>, Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>, Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>, Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>, rek.bolden@dc.gov <rek.bolden@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Cc: denglebert1@outlook.com <denglebert1@outlook.com>

Subject: RE: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

10:30? 202-573.3399.

Sara

Sara Bardin
Director



Office of Zoning | District of Columbia Government
www.dcoz.dc.gov | sara.bardin@dc.gov

441 4th Street, NW | Suite 200-S | Washington, DC 20001
(202) 727-5372 (office) | (202) 727-6072 (fax)

From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, May 27, 2022 9:56 AM

To: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; support@dcra.mail.kustomerapp.com; DCOZ - BZA Submissions (DCOZ)

<DCOZ-BZASubmissions@dc.gov>; Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>; ATD DCOZ <dcoz@dc.gov>; Planning <Planning@dc.gov>; Reid, Robert (DCOZ) <robert.reid@dc.gov>; Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>; LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>; Cooper, Quiton (DCRA) <quition.cooper@dc.gov>; Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>; Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>; Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>; rek.bolden@dc.gov; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Cc: denglebert1@outlook.com

Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

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Hi Ms. Bardin,

I appreciate your response. Can you suggest some times next week for a call? I'd like to coordinate with our agent, Ms. Delaine Englebert who understands Zoning and DCRA matters well.

The three of us can have a joint call.

Best,
-Mohammad

From: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Date: Friday, May 27, 2022 at 9:42 AM

To: Mohammad Hassan <hassan9291@gmail.com>, support@dcra.mail.kustomerapp.com <support@dcra.mail.kustomerapp.com>, DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>, Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>, ATD DCOZ <dcoz@dc.gov>, Planning <Planning@dc.gov>, Reid, Robert (DCOZ) <robert.reid@dc.gov>, Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>, LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>, Cooper, Quiton (DCRA) <quition.cooper@dc.gov>, Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>, Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>, Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>, rek.bolden@dc.gov <rek.bolden@dc.gov>, DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Cc: denglebert1@outlook.com <denglebert1@outlook.com>

Subject: RE: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

Dear Mr. Hassan:

Do you have time to speak with me this morning by phone?

Sincerely,

Sara

Sara Bardin
Director



Office of Zoning | District of Columbia Government
www.dcoz.dc.gov | sara.bardin@dc.gov

441 4th Street, NW | Suite 200-S | Washington, DC 20001
(202) 727-5372 (office) | (202) 727-6072 (fax)

From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, May 27, 2022 9:19 AM

To: support@dcra.mail.kustomerapp.com; DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>; Cochran, Patricia (DCOZ) <Patricia.Cochran@dc.gov>; ATD DCOZ <dcoz@dc.gov>; Planning <Planning@dc.gov>; Reid, Robert (DCOZ) <robert.reid@dc.gov>; Roberts, Erin (DCRA) <Erin.Roberts@dc.gov>; LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>; Cooper, Quiton (DCRA) <quition.cooper@dc.gov>; Johnson, Katrina (DCRA) <katrina.johnson@dc.gov>; Reiss, Jeff J. (DCRA) <jeffj.reiss@dc.gov>; Beeton, Kathleen A. (DCRA) <kathleen.beeton@dc.gov>; rek.bolden@dc.gov; DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Cc: denglebert1@outlook.com

Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

Some people who received this message don't often get email from hassan9291@gmail.com. [Learn why this is important](#)

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Thanks Rohan,

How do we get Mr. Robert Reid or anyone at BZA to respond? As you can see in the questions I raised, a false entity without ownership of the building at large has filed for permits and initiated a zoning request.


That is a serious matter.

On the permits side, I hope DCRA can explain why the permit requests haven't simply been cancelled since it did not originate from HOA or agents of the HOA? Again, HOA did not sign off on this and this is a rogue and nefarious owner/developer attempting to get permits. Furthermore, as you heard your own, Mr. Tarek Bolden from DCRA echoed the sentiment that it is illegal for SC Holding, Peabody LLC to submit a zoning or permit requests on behalf of the HOA.

One occurrence of DCRA granting permits without the HOA permission has already occurred. You can see the letter that was sent to get DCRA attached: **Notice of Unauthorized Permitting at 5912 9th Street NW.**

I'd like to understand how unauthorized permits and zoning requests are still being considered even after this former occurrence and notification from HOA to not allow it?

DCRA Permit:

 Permits

Permit #	Permit Type	Date Filed	Address	Name	SSL
B2107726	Construction/Alteration and Repair		5912 9TH ST NW 5, WASHINGTON, DC 20011	SC HOLDINGS PEABODY LLC	2986 2005

Owner Name:
SC HOLDINGS PEABODY LLC

Applicant Name:
ASHLEY BROWN; NA

Trade Name:

Permit Status: **Review in Process** [Get Latest Permit Status](#)

Job Classification:

Job Class Code	Size	Classification	End of Initial Review Cycle (Projected)
D-C	1,000 - 2,000 sq ft	Commercial	2021/06/22

Description of work/ Review status:

3-STORY, 5-UNIT APARTMENT HOUSE FOR CO PURPOSES ONLY TO SHOW EXISTING FLOOR PLANS AND MEP RELATED MATERIALS. NO WORK TO BE DONE.

Discipline	Review Status	Status Date
File Room	NA	2022-01-19
Zoning Review Pending	Comments Submitted to Applicant for Correction	2022-01-13
Structural Review	Structural Review Approved	2021-12-25
Plumbing Review Pending	Comments Submitted to Applicant for Correction	2021-12-23
Mechanical Review Pending	Comments Submitted to Applicant for Correction	2021-12-23
Electrical Review	Electrical Review Approved	2021-12-23
File Room	Plans and Application Resubmitted by the Applicant	2021-12-21
File Room	Applicant Notified by DCRA with Comments for Corre	2021-12-07
Zoning Review Pending	Comments Submitted to Applicant for Correction	2021-12-07
Plumbing Review Pending	Comments Submitted to Applicant for Correction	2021-11-22

Best,
-Mohammad

From: dcra support <support@dcra.kustomerapp.com>

Date: Friday, May 27, 2022 at 8:42 AM

To: hassan9291@gmail.com <hassan9291@gmail.com>, dcoz-bzasubmissions@dc.gov <dcoz-bzasubmissions@dc.gov>, patricia.cochran@dc.gov <patricia.cochran@dc.gov>, dcoz@dc.gov <dcoz@dc.gov>, planning@dc.gov <planning@dc.gov>, robert.reid@dc.gov <robert.reid@dc.gov>

Cc: denglebert1@outlook.com <denglebert1@outlook.com>

Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required

Hi Mr. Hassan,

I will defer to Mr. Robert Reid on this. His office would have the best information regarding emails for those individuals. It may be that dcoz@dc.gov may be the best contact for those individuals and the Office of Zoning staff will ensure that they receive the email.

Regards,

Rohan Reid | Program Analyst, Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
Government of the District of Columbia

dcracs@dc.gov | dcra.dc.gov

1100 4th Street SW, Suite E340, Washington, DC 20024

main: 202.442.4400 | desk: 202.442.4648

inspections: 202.442.7867



On Fri, May 27, 2022 at 12:08 PM <hassan9291@gmail.com> wrote:

Thanks Rohan,

I would appreciate either you or Mr. Robert Reid confirming that the following individuals are in receipt of the email:

- * Frederick L. Hill - Chairperson Appointee
- * Lorna John - District Resident Appointee
- * Carl H. Blake - District Resident Appointee

Unfortunately, I do not have their email addresses so cannot send it directly.

Best,

-Mohammad

On Thu, May 26, 2022 at 4:04 PM <support@dcra.mail.kustomerapp.com> wrote:

Good morning Mr. Hassan,

I am in receipt of your email and will pass it on to the DCRA specific staff. I did see that you copied Director Chrappah and Mr. LeGrant. Please forward your email directly to the other parties. They are not internal participants in the DCRA Kustomer platform. I do see that you have copied Mr. Robert Reid from the Office of Zoning and I will ask him here, to forward the email to those parties specific to his agency, to include the BZA staff you identified, from your list.

Thank you for sending along your list of questions. I will forward them to DCRA's Office of the General Counsel (OGC) and ask them to review and provide answers wherever possible. We will be in touch to follow up after OGC has had a chance to review the information.

Regards,

On Mon, May 23, 2022 at 10:18 PM <hassan9291@gmail.com> wrote:

Hi Mr. Reid,

Thank you for your and the teams time. This email is meant for the following individuals:

- * Director Ernest Chrappah
- * LeGrant, Matt (DCRA) matthew.legrant@dc.gov;
- * Cooper, Quiton (DCRA) quinton.cooper@dc.gov;
- * Johnson, Katrina (DCRA) katrina.johnson@dc.gov;
- * Reiss, Jeff J. (DCRA) jeffj.reiss@dc.gov;
- * Beeton, Kathleen A. (DCRA) kathleen.beeton@dc.gov;
- * Bolden, Tarek (DCRA) tarek.bolden@dc.gov
- * Reid, Robert Robert.reid@dc.gov;
- * Patricia.Cochran@dc.gov;
- * Frederick L. Hill - Chairperson Appointee
- * Lorna John - District Resident Appointee

- * Carl H. Blake - District Resident Appointee
- * bzasubmissions@dc.gov;
- * dcoz@dc.gov;
- * planning@dc.gov;
- * 4B@anc.dc.gov;

Please ensure they all receive it, specifically bringing to the attention of DCRA Direct Ernest Chrappah and BZA Chairperson Appointee Frederick Hill. If there are others that should be notified that are not on this list, please forward to them as well

I was able to find and review the BZA application here:

https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20760

Please review exhibit 14. The Burden of Proof document states:

This Statement is submitted on behalf of SC Holdings, Peabody LLC, the owner of the property located at 5912 9th St NW (Square 2986, Lot 25) (the "Subject Property"). The Subject Property is located in the RA-1 Zone district and is currently a two-story, four-unit multifamily building. The Applicant is proposing to construct a new third story to hold a fifth residential unit. Subtitle U, § 421 states "all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section." Accordingly, the Applicant is requesting special exception approval pursuant to Subtitle U – § 421.1.

Before delving into the questions, I'd make to make the position and needs of the HOA clear and provide current facts.

The HOA would like to protect the current owners interests and work alongside the BZA, DCRA and Unit 5 owner (SC Holdings, Peabody LLC and Mr. Snider and Mr. Mike Kuehn) to bring this above board, pay off dues, fix some of the issues with the structure. I believe a win-win-win can be struck.

A couple facts:

- * 5912 9th Street HOA and it's four legal units are the majority owners of the building;
- * SC Holdings, Peabody LLC (and owners Mr. Snider and Mr. Kuehn) do not have a right to file on the HOAs behalf;
- * SC Holdings, Peabody LLC, alongside authorized agent, Adam Carballo, falsely filed permit and Zoning requests since they are non-HOA entities

Questions for the DCRA General Counsel and for BZA:

1. How can SC Holding, Peabody LLC submit a zoning request when all four legal units have owners and a HOA is formed without our approval? Mr. Tarek Bolden from DCRA echoed the sentiment that it is illegal for SC Holding, Peabody LLC to submit a zoning request on the HOAs behalf. So it begs the question, how did this go through and why hasn't it simply been cancelled? Prima facia, it seems to be illegal to file a permit without being the majority owner of the structure. I understand the DCRA in the past has cancelled such permit requests when they were made on behalf of someone else and without their permission. Why not on this occurrence?

1. What is the recourse on the builder and Unit 5 owner who hasn't paid any HOA dues for multiple years and/or hasn't remediated the structural issues with the building that were shown via inspections? I'm can share the reports if need be.

1. Mr. Reid had suggested that the HOA can get a temporary CofO moved from the original originator, the developer to the HOA. This was further discussed in the call with Mr. LeGrant and others on May 18th 202 and it was noted that the barrier to doing so is low with a DHCD email. While, it may be a low friction effort, does doing so present any risk or culpability for the HOA or unit owners given that we did not illegally build a third floor and are simply victims of a nefarious builder and Unit 5 owner?

4. Considering Unit 5 owner is the same financier of the original project, what is the reason there have been no fines levied on SC Holdings, Peabody LLC and specifically, Mr. Steven S. Snider and his associate Mr. Mike Kuehn. Please find attached an email where Mr. Snider let me know "If you interfere with our efforts to obtain the CofO by communicating with DCRA, it may harm our ability to obtain the CofO and inure to the detriment of the Association and us." <https://dcra.dc.gov/page/director-ernest-chrappah>

I consider the HOAs efforts an attempt to use the final bit of leverage we have as owners to get the owner/builder of Unit 5 to do the right thing by fixing issues with the structure and paying long HOA standing dues. I'm certain the BZA and DCRA will agree that the Unit Owners and HOA are indeed legally and ethically deserving of this.

I implore the BZA and DCRA to take actions to support the HOA in remedying the situation.

Best,

-Mohammad

5912 9th Street Unit Owner and Board Member

On Mon, May 23, 2022 at 10:18 PM <hassan9291@gmail.com> wrote:

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Some people who received this message don't often get email from hassan9291@gmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

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Hi Mr. Reid,

Thank you for your and the teams time. This email is meant for the following individuals:

- * Director Ernest Chrappah
- * LeGrant, Matt (DCRA) matthew.legrant@dc.gov;
- * Cooper, Quiton (DCRA) quinton.cooper@dc.gov;
- * Johnson, Katrina (DCRA) katrina.johnson@dc.gov;
- * Reiss, Jeff J. (DCRA) jeffj.reiss@dc.gov;
- * Beeton, Kathleen A. (DCRA) kathleen.beeton@dc.gov;
- * Bolden, Tarek (DCRA) tarek.bolden@dc.gov
- * Reid, Robert Robert.reid@dc.goc;

- * Patricia.Cochran@dc.gov;
- * Frederick L. Hill - Chairperson Appointee
- * Lorna John - District Resident Appointee
- * Carl H. Blake - District Resident Appointee
- * bzasubmissions@dc.gov;
- * dcoz@dc.gov;
- * planning@dc.gov;
- * 4B@anc.dc.gov;

Please ensure they all receive it, specifically bringing to the attention of DCRA Direct Ernest Chrappah and BZA Chairperson Appointee Frederick Hill. If there are others that should be notified that are not on this list, please forward to them as well

I was able to find and review the BZA application here:

https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20760

Please review exhibit 14. The Burden of Proof document states:

This Statement is submitted on behalf of SC Holdings, Peabody LLC, the owner of the property located at 5912 9th St NW (Square 2986, Lot 25) (the "Subject Property"). The Subject Property is located in the RA-1 Zone district and is currently a two-story, four-unit multifamily building. The Applicant is proposing to construct a new third story to hold a fifth residential unit. Subtitle U, § 421 states "all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section." Accordingly, the Applicant is requesting special exception approval pursuant to Subtitle U – § 421.1.

Before delving into the questions, I'd make to make the position and needs of the HOA clear and provide current facts.

The HOA would like to protect the current owners interests and work alongside the BZA, DCRA and Unit 5 owner (SC Holdings, Peabody LLC and Mr. Snider and Mr. Mike Kuehn) to bring this above board, pay off dues, fix some of the issues with the structure. I believe a win-win-win can be struck.

A couple facts:

- * 5912 9th Street HOA and it's four legal units are the majority owners of the building;
- * SC Holdings, Peabody LLC (and owners Mr. Snider and Mr. Kuehn) do not have a right to file on the HOAs behalf;
- * SC Holdings, Peabody LLC, alongside authorized agent, Adam Carballo, falsely filed permit and Zoning requests since they are non-HOA entities

Questions for the DCRA General Counsel and for BZA:

1. How can SC Holding, Peabody LLC submit a zoning request when all four legal units have owners and a HOA is formed without our approval? Mr. Tarek Bolden from DCRA echoed the sentiment that it is illegal for SC Holding, Peabody LLC to submit a zoning request on the HOAs behalf. So it begs the question, how did this go through and why hasn't it simply been cancelled? Prima facia, it seems to be illegal to file a permit without being the majority owner of the structure. I understand the DCRA in the past has cancelled such permit requests when they were made on behalf of someone else and without their permission. Why not on this occurrence?

1. What is the recourse on the builder and Unit 5 owner who hasn't paid any HOA dues for multiple years and/or hasn't remediated the structural issues with the building that were shown via inspections? I'm can share the reports if need be.

1. Mr. Reid had suggested that the HOA can get a temporary CofO moved from the original originator, the developer to the HOA. This was further discussed in the call with Mr. LeGrant and others on May 18th 202 and it was noted that the barrier to doing so is low with a DHCD email. While, it may be a low friction effort, does doing so present any risk or culpability for the HOA or unit owners given that we did not illegally build a third floor and are simply victims of a nefarious builder and Unit 5 owner?

4. Considering Unit 5 owner is the same financier of the original project, what is the reason there have been no fines levied on SC Holdings, Peabody LLC and specifically, Mr. Steven S. Snider and his associate Mr. Mike Kuehn. Please find attached an email where Mr. Snider let me know "If you interfere with our efforts to obtain the CofO by communicating with DCRA, it may harm our ability to obtain the CofO and inure to the detriment of the Association and us." <https://dcra.dc.gov/page/director-ernest-chrappah>

I consider the HOAs efforts an attempt to use the final bit of leverage we have as owners to get the owner/builder of Unit 5 to do the right thing by fixing issues with the structure and paying long HOA standing dues. I'm certain the BZA and DCRA will agree that the Unit Owners and HOA are indeed legally and ethically deserving of this.

I implore the BZA and DCRA to take actions to support the HOA in remedying the situation.

Best,
-Mohammad
5912 9th Street Unit Owner and Board Member

On Thu, May 19, 2022 at 6:47 PM <support@dcra.mail.kustomerapp.com> wrote:

Hi Mr. Hassan,

Thanks for meeting with us yesterday. I am following up to provide the information that Kathleen Beeton entered into the meeting chat for you. She stated the following:

You might also want to confer with the DC Bar for some legal assistance. They offer pro bono services, and if you haven't explored that possibility, I would encourage you to do so: <https://www.dcbat.org/pro-bono>

We trust that we were able to answer some of your questions. We know that you have some additional ones and we look forward to receiving them. As mentioned, it is most likely that they may require consultation with DCRA's General Counsel. Thanks again!

Regards,

On Wed, May 18, 2022 at 1:17 PM <hassan9291@gmail.com> wrote:

Mr. Robert Reid,

Here are the questions below so you don't have to scan the entire email:

1. Have you had an opportunity to a talk to your council on the following:

- * Recourse on the builder and Unit 5 owner who hasn't paid any HOA dues for multiple years?
- * You had suggested that we get a temporary CofO moved from the original originator, the developer to the HOA. Does this present any risk or culpability for the HOA or unit owners given that we did not illegally build a third floor and are simply victims of a nefarious builder?

2. What would it take to work alongside BZA to get this above board? This may not be feasible but a suggested approach below

1. Unit 5 Owner/Builder Pay Dues

1. Unit 5 Owner/Builder works through structural fixes

1. BZA and DCRA collaborate to work alongside owners and Unit 5 owner/builder to get this above board given Units 1-4 owners didn't intentionally purchase into a bldg. with significant issues.

3. What has Steven Snider and SC HOLDINGS PEABODY LLC (Unit 5) submitted in terms of permit requests and/or zoning changes? Where are these in the Zoning and DCRA review process?

4. Can you please confirm that any grants of permits or zoning changes will need to be run by and approved by majority owners and the 5912 9th Street Condominium Unit Owners Association (HOA) board?

Best,
-Mohammad

On Wed, May 18, 2022 at 1:17 PM <hassan9291@gmail.com> wrote:

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Mr. Robert Reid,

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1. Have you had an opportunity to a talk to your council on the following:

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2. What would it take to work alongside BZA to get this above board? This may not be feasible but a suggested approach below

1. Unit 5 Owner/Builder Pay Dues

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3. What has Steven Snider and SC HOLDINGS PEABODY LLC (Unit 5) submitted in terms of permit requests and/or zoning changes? Where are these in the Zoning and DCRA review process?

4. Can you please confirm that any grants of permits or zoning changes will need to be run by and approved by majority owners and the 5912 9th Street Condominium Unit Owners Association (HOA) board?

Best,
-Mohammad

On Wed, May 18, 2022 at 11:51 AM <support@dcra.mail.kustomerapp.com> wrote:

Good morning Mr. Hassan,

Thanks for confirming receipt of the meeting invitation. We look forward to the meeting at 1:30pm.

Regards,

On Tue, May 17, 2022 at 9:28 PM <hassan9291@gmail.com> wrote:

Got it. Thanks

Best,
-Mohammad

On Tue, May 17, 2022 at 8:33 PM <support@dcra.mail.kustomerapp.com> wrote:

Hi Mr. Hassan,

A meeting invitation has been sent to you for tomorrow, 5/18/22. The meeting time is 1:30pm - 2:30pm via MS Teams. Please confirm that you have received the invitation. Thank you!

Regards,

On Tue, May 17, 2022 at 5:40 PM <hassan9291@gmail.com> wrote:

Thanks Rohan for the information.

Mr. Robert Reid,

My name is Mohammad and I'm the owner of Unit 2 at 5912 9th Street NW. We as an HOA as an individual owner have had lots of challenges and issues with the original developer and the financier. The financier currently owns the property, hasn't paid a single month of HOA dues and I understand is seeking to get an exception to make the unit legal.

I know I'm going to sound like a concerned and skeptical home owner. Can you please share the filing that

Unit 5 owner has made and/or what paperwork was submitted? How does this proceeding work? What say does the HOA have in the matter? This is the same financier that backed the original builder, foreclosed the property to buy it back up in a different LLC and owes more than 2+ years HOA dues.

Best,
-Mohammad

On Tue, May 17, 2022 at 5:40 PM <hassan9291@gmail.com> wrote:

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Best,
-Mohammad

On Tue, May 17, 2022 at 1:27 PM <support@dcra.mail.kustomerapp.com> wrote:

Good morning Mr. Hassan,

Please reach out to Mr. Robert Reid at the Office of Zoning to get assistance with concerns about the recently filed BZA application. His contact information is as follows:

Robert I. Reid
Zoning Specialist
Office of Zoning | District of Columbia Government
441 4th Street, NW | Suite 200-S | Washington, DC 20001
(202) 727-5471 (office) | www.dcoz.dc.gov | robert.reid@dc.gov

Additionally, the general telephone number for the Office of Zoning is (202) 727-6311.

I have asked the meeting participants to confirm if tomorrow, 5/18, will work for their schedules. I will follow up to let you know if it does and next steps.

Regards,

On Mon, May 16, 2022 at 9:05 PM <hassan9291@gmail.com> wrote:

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Tarek, Rohan,

Can you share an email address or contact of someone at the DC Office of Zoning that can help?

Also, let me know about scheduling a meeting amongst us to answer questions in this thread.

Best,
-Mohammad

On Fri, May 13, 2022 at 2:18 PM <dcracs@dc.gov> wrote:

Good morning Mr. Hassan,

You will need to contact the D.C. Office of Zoning to request BZA filing information. I am with DCRA in OZA with Mr. Rohan Reid, I do not have access to the documents you are referring to.

You can contact the Office of Zoning at <https://dcoz.dc.gov/>

On Fri, May 13, 2022 at 9:59 AM <dcracs@dc.gov> wrote:

Automatic Notification of New Conversation

On Fri, May 13, 2022 at 9:59 AM <hassan9291@gmail.com> wrote:

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Tarek,

Are you able to help with the below?

Best,
-Mohammad

From: Mohammad Hassan hassan9291@gmail.com
Date: Monday, May 9, 2022 at 11:11 AM
To: dcracs@dc.gov dcracs@dc.gov
Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required
Hi Rohan,

I can meet anytime that works on May 18th.

Tarek,

I know I'm going to sound like a concerned and skeptical home owner. Can you please share the filing that Unit 5 owner has made and/or what paperwork was submitted? How does this proceeding work? What say does the HOA have in the matter? This is the same financier that backed the original builder, foreclosed the property to buy it back up in a different LLC and owes more than 2+ years HOA dues.

We, the owners of the HAO want to make sure this transaction does not make our matters worse.

Best,
-Mohammad

From: DCRA Customer Service dcracs@dc.gov
Date: Friday, May 6, 2022 at 7:11 PM
To: hassan9291@gmail.com hassan9291@gmail.com
Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required
Hi Mr. Hassan,

I am making on correction. I will be back in office on 5/16. Please let me know your availability after that date. Thank you!

Regards,

Rohan Reid | Program Analyst, Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
Government of the District of Columbia

dcracs@dc.gov <mailto:dcracs@dc.gov> | dcra.dc.gov <https://dcra.dc.gov/>
1100 4th Street SW, Suite E340, Washington, DC 20024
main: 202.442.4400 | desk: 202.442.4648
inspections: 202.442.7867
[URL%20FOR%20IMAGE%20IF%20YOU%20WANT%20IT]
On Fri, May 6, 2022 at 10:55 PM <dcracs@dc.gov <mailto:dcracs@dc.gov>> wrote:
Good afternoon Mr. Hassan,

I am in receipt of your email and will make the other DCRA staff aware of it as you requested.

The attachment you provided is a notice from the Board of Zoning Adjustment (BZA), which is at the Office of Zoning, a separate DC agency. The applicant is seeking permission to make the fifth unit a legal one. As you are aware, the maximum units allowed at the property is four. In order to have five units at the property, BZA relief is required. It appears that the owner of the current illegal fifth unit, may have submitted the BZA application and not the HOA.

I do hope that you received my voice message that I left on 3/18 regarding our proposed meeting for that same day. In my voice message, I explained that I erred in not sending you the link to the meeting invite and inquired about another convenient time that would work for you. I also wasn't sure if you had returned from your travels. I am glad to see that you are still looking forward to a meeting and I will be happy to schedule one. I am out of the office next week and will return to work on 5/18. Please let me know of your availability for a meeting after 5/18 and I will work with my other colleagues to get it scheduled upon my return.

In my absence, if you have any zoning related questions, please email dcracs@dc.gov and put it to the attention of Tarek Bolden. He is my zoning enforcement colleague and can assist until I return. Have a great weekend and upcoming week.

Regards,

On Fri, May 6, 2022 at 7:42 PM <dcracs@dc.gov<mailto:dcracs@dc.gov>> wrote:
Automatic Notification of New Conversation

On Fri, May 6, 2022 at 7:42 PM <hassan9291@gmail.com<mailto:hassan9291@gmail.com>> wrote:
Hi Rohan,

Can you help me understand what the attached is about? I'm still interested in connecting during a meeting to answer the original questions in this email thread as well.

Please forward this information to the staff persons who are now serving in Mr. Thomas and Mr. Underwood previous roles and make Director Chrappah and Mr. LeGrant aware of this communication and subsequent communication in this chain via your new streamlined process and customer service platform (Kustomer) for internal and external communication.

Best,
-Mohammad

From: dcra support
support@dcra.mail.kustomerapp.com<mailto:support@dcra.mail.kustomerapp.com>
Date: Thursday, February 10, 2022 at 1:26 PM
To: hassan9291@gmail.com hassan9291@gmail.com<mailto:hassan9291@gmail.com>
Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required
Thank you, Mr. Hassan. Got it!

I will follow up to confirm the date.

Regards,

Rohan Reid | Program Analyst, Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
Government of the District of Columbia

[dcra.dc.govhttps://dcra.dc.gov/](https://dcra.dc.gov/)
1100 4th Street SW, Suite E340, Washington, DC 20024
main: 202.442.4400 | desk: 202.442.4648
inspections: 202.442.7867

[URL%20FOR%20IMAGE%20IF%20YOU%20WANT%20IT]

On Thu, Feb 10, 2022 at 6:23 PM <hassan9291@gmail.com> wrote:
Hi Rohan,

Yes, March 18th. The next few weeks I'm out of town.

Best,
-Mohammad

On Thu, Feb 10, 2022 at 5:31 PM
<support@dcra.mail.kustomerapp.com> wrote:
Hi Mr. Hassan,

Thank you for getting back to me and letting me know that this Friday doesn't work for you. Before confirming a time with the other DCRA staff, did you mean to propose 3/18/22, or were you thinking of next Friday 2/18/22? I know you said you will be traveling for the next few weeks, and perhaps 3/18/22 is correct, but I want to be certain of the date.

Regards,

On Thu, Feb 10, 2022 at 12:07 PM <hassan9291@gmail.com> wrote:
Thanks for your response, Rohan.

Unfortunately that time does not work.

Can we meet on 3/18/22 at a time of your choosing? The next few weeks require me to travel.

Best,
-Mohammad

On Wed, Feb 9, 2022 at 9:16 PM
<support@dcra.mail.kustomerapp.com> wrote:
Good afternoon Mr. Hassan,

I am in receipt of your email and do apologize for the delay in getting back to you. I was able to speak with the Zoning Administrator and Illegal Construction Manager and they are available to meet with you this Friday, 2/11/22, at 1:30 pm via MS Teams.

The questions and concerns you raise can be discussed further during the meeting, as well as next steps in the compliance process. If there are additional concerns and questions in the interim, add them to your previous list of questions and we will address them during Friday's meeting.

Please be on the lookout for the meeting invitation. Thank you!

Regards,

On Tue, Feb 8, 2022 at 1:28 PM <hassan9291@gmail.com> wrote:
Dear Rohan,

Following up after our conversation on January 7th 2022. Questions below:

1. Have you had an opportunity to a talk to your council on the following:
 - * Recourse on the builder and Unit 5 owner who hasn't paid any HOA dues for multiple years?
 - * You had suggested that we get a temporary CofO moved from the original originator, the developer to the HOA. Does this present any risk or culpability for the HOA or unit owners given that we did not illegally build a third floor and are simply victims of a nefarious builder?
2. What would it take to work alongside BZA to get this above board? This may not be feasible but a suggested approach below
 - * Unit 5 Owner/Builder Pay Dues

b. Unit 5 Owner/Builder works through structural fixes

c. BZA and DCRA collaborate to work alongside owners and Unit 5 owner/builder to get this above board given Units 1-4 owners didn't intentionally purchase into a bldg. with significant issues. Can you please forward this information to the staff persons who are now serving in Mr. Thomas and Mr. Underwood previous roles and make Director Chrappah and Mr. LeGrant aware of this communication and subsequent communication in this chain via your new streamlined process and customer service platform (Kustomer) for internal and external communication.

Best,
-Mohammad

On Fri, Jan 7, 2022 at 8:43 PM <hassan9291@gmail.com> wrote:
Mr. Reid,

Thanks for your prompt email. A few additional questions below:

1. What has Steven Snider and SC HOLDINGS PEABODY LLC (Unit 5) submitted in terms of permit requests and/or zoning changes? Where are these in the Zoning and DCRA review process?
2. Can you please confirm that any grants of permits or zoning changes will need to be run by and approved by majority owners and the 5912 9th Street Condominium Unit Owners Association (HOA) board?

Please also pass receipt of this to all those originally copied on the email to you.

Best,
-Mohammad

On Fri, Jan 7, 2022 at 8:33 PM
<support@dcra.mail.kustomerapp.com> wrote:
Dear Mohammad Hassan,

Thank you for contacting the Office of the Zoning Administrator (OZA) within the Department of Consumer and Regulatory Affairs (DCRA). I am in receipt of your email regarding the ongoing illegal construction matter at 5912 9th Street, NW. My goal is to address your concerns to the best of my ability, with the assistance from my OZA and Inspections and Compliance Administration (ICA) colleagues. As I work to do so, please let me know if you have any additional questions or concerns in the interim.

Please note that Mr. Thomas and Mr. Underwood are no longer with DCRA; however, I will forward the information to the staff persons who are now serving in their previous roles. Also, Director Chrappah and Mr. LeGrant will not appear on the recipient list of this email, instead they will be

made aware of this communication to you via our new streamlined process and customer service platform (Kustomer) fo

On Mon, May 9, 2022 at 3:11 PM <hassan9291@gmail.com> wrote:

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Hi Rohan,

I can meet anytime that works on May 18th.

Tarek,

I know I'm going to sound like a concerned and skeptical home owner. Can you please share the filing that Unit 5 owner has made and/or what paperwork was submitted? How does this proceeding work? What say does the HOA have in the matter? This is the same financier that backed the original builder, foreclosed the property to buy it back up in a different LLC and owes more than 2+ years HOA dues.

We, the owners of the HAO want to make sure this transaction does not make our matters worse.

Best,
-Mohammad

On Fri, May 6, 2022 at 11:11 PM <dcracs@dc.gov> wrote:

Hi Mr. Hassan,

I am making on correction. I will be back in office on 5/16. Please let me know your availability after that date. Thank you!

Regards,

On Fri, May 6, 2022 at 10:55 PM <dcracs@dc.gov> wrote:

Good afternoon Mr. Hassan,

I am in receipt of your email and will make the other DCRA staff aware of it as you requested.

The attachment you provided is a notice from the Board of Zoning Adjustment (BZA), which is at the Office of Zoning, a separate DC agency. The applicant is seeking permission to make the fifth unit a legal one. As you are aware, the maximum units allowed at the property is four. In order to have five units at the property, BZA relief is required. It appears that the owner of the current illegal fifth unit, may have submitted the BZA application and not the HOA.

I do hope that you received my voice message that I left on 3/18 regarding our proposed meeting

for that same day. In my voice message, I explained that I erred in not sending you the link to the meeting invite and inquired about another convenient time that would work for you. I also wasn't sure if you had returned from your travels. I am glad to see that you are still looking forward to a meeting and I will be happy to schedule one. I am out of the office next week and will return to work on 5/18. Please let me know of your availability for a meeting after 5/18 and I will work with my other colleagues to get it scheduled upon my return.

In my absence, if you have any zoning related questions, please email dcracs@dc.gov and put it to the attention of Tarek Bolden. He is my zoning enforcement colleague and can assist until I return. Have a great weekend and upcoming week.

Regards,

On Fri, May 6, 2022 at 7:42 PM <dcracs@dc.gov> wrote:

Automatic Notification of New Conversation

On Fri, May 6, 2022 at 7:42 PM <hassan9291@gmail.com> wrote:

Hi Rohan,

Can you help me understand what the attached is about? I'm still interested in connecting during a meeting to answer the original questions in this email thread as well.

Please forward this information to the staff persons who are now serving in Mr. Thomas and Mr. Underwood previous roles and make Director Chrappah and Mr. LeGrant aware of this communication and subsequent communication in this chain via your new streamlined process and customer service platform (Kustomer) for internal and external communication.

Best,
-Mohammad

From: dcra support support@dcra.mail.kustomerapp.com
Date: Thursday, February 10, 2022 at 1:26 PM
To: hassan9291@gmail.com hassan9291@gmail.com
Subject: Re: FW: 5912 9th Street | Illegal Construction | HOA Approval Required
Thank you, Mr. Hassan. Got it!

I will follow up to confirm the date.

Regards,

Rohan Reid | Program Analyst, Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
Government of the District of Columbia

dcra.dc.gov <https://dcra.dc.gov/>
1100 4th Street SW, Suite E340, Washington, DC 20024
main: 202.442.4400 | desk: 202.442.4648
inspections: 202.442.7867
[URL%20FOR%20IMAGE%20IF%20YOU%20WANT%20IT]
On Thu, Feb 10, 2022 at 6:23 PM <hassan9291@gmail.com <mailto:hassan9291@gmail.com>>
wrote:

Hi Rohan,

Yes, March 18th. The next few weeks I'm out of town.

Best,
-Mohammad

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<support@dcra.mail.kustomerapp.com<mailto:support@dcra.mail.kustomerapp.com>> wrote:
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Regards,

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Thanks for your response, Rohan.

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Can we meet on 3/18/22 at a time of your choosing? The next few weeks require me to travel.

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The questions and concerns you raise can be discussed further during the meeting, as well as next steps in the compliance process. If there are additional concerns and questions in the interim, add them to your previous list of questions and we will address them during Friday's meeting.

Please be on the lookout for the meeting invitation. Thank you!

Regards,

On Tue, Feb 8, 2022 at 1:28 PM <hassan9291@gmail.com<mailto:hassan9291@gmail.com>> wrote:
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1. Have you had an opportunity to a talk to your council on the following:
 - * Recourse on the builder and Unit 5 owner who hasn't paid any HOA dues for multiple years?
 - * You had suggested that we get a temporary CofO moved from the original originator, the developer to the HOA. Does this present any risk or culpability for the HOA or unit owners given that we did not illegally build a third floor and are simply victims of a nefarious builder?
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b. Unit 5 Owner/Builder works through structural fixes

c. BZA and DCRA collaborate to work alongside owners and Unit 5 owner/builder to get this above board given Units 1-4 owners didn't intentionally purchase into a bldg. with significant issues.

Can you please forward this information to the staff persons who are now serving in Mr. Thomas and Mr. Underwood previous roles and make Director Chrappah and Mr. LeGrant aware of this communication and subsequent communication in this chain via your new streamlined process and customer service platform (Kustomer) for internal and external communication.

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-Mohammad

On Fri, Jan 7, 2022 at 8:43 PM <hassan9291@gmail.com<mailto:hassan9291@gmail.com>> wrote:
Mr. Reid,

Thanks for your prompt email. A few additional questions below:

1. What has Steven Snider and SC HOLDINGS PEABODY LLC (Unit 5) submitted in terms of permit requests and/or zoning changes? Where are these in the Zoning and DCRA review process?
2. Can you please confirm that any grants of permits or zoning changes will need to be run by and approved by majority owners and the 5912 9th Street Condominium Unit Owners Association (HOA) board?

Please also pass receipt of this to all those originally copied on the email to you.

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additional questions or concerns in the interim.

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Sent: Friday, January 7, 2022 2:14 PM
To: Reid, Rohan (DCRA) rohan.reid@dc.govmailto:rohan.reid@dc.gov; Chrappah, Ernest (DCRA) Ernest.Chrappah@dc.govmailto:Ernest.Chrappah@dc.gov
Cc: Thomas, Charles (DCRA) Charles.thomas@dc.govmailto:Charles.thomas@dc.gov; LeGrant, Matt (DCRA) matthew.legrant@dc.govmailto:matthew.legrant@dc.gov; Lynn.underwood@dc.gov
Subject: Re: 5912 9th Street | Illegal Construction | HOA Approval Required

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CAUTION: This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to phishing@dc.govmailto:phishing@dc.gov for additional analysis by OCTO Security Operations Center (SOC).

+ Director Ernest Chrappah

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Date: Friday, January 7, 2022 at 2:13 PM
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<ernest.chrappah@dc.govmailto:ernest.chrappah@dc.gov>
Cc: Thomas, Charles (DCRA) <Charles.thomas@dc.govmailto:Charles.thomas@dc.gov>,
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<matt.legrant@dc.govmailto:matt.legrant@dc.gov>,
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<Lynn.underwood@dc.govmailto:Lynn.underwood@dc.gov>
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Mr. Reid,

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As you know, the HOA requested a stop-work-order in place and notified Director Bolling of the illegal construction after permits were granted . See the thread below.

This email serves as a reminder that any CofO update or permits requires the HOA board's approval and should not be granted to the developer without consulting the HOA and its owners. The developer has yet to make a payment for the last three years of HOA dues (totaling \$5,096.00), an infringement of the bylaws and cause for a lien and we have not been able to independently vet the load bearing implications of illegal construction. See attached for more details.

Please confirm receipt of this email. If you need to talk, please reach out at (240) 482-6127

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Date: Wednesday, January 31, 2018 at 12:23 PM
To: Melinda.bolling@dc.govmailto:Melinda.bolling@dc.gov
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<Lynn.underwood@dc.govmailto:Lynn.underwood@dc.gov>
Cc: Mohammad Hassan <hassan9291@gmail.commailto:hassan9291@gmail.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.commailto:Bradley.Phipps@katzmedia.com>
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From: Mohammad Hassan hassan9291@gmail.com
Sent: Friday, January 7, 2022 2:14 PM
To: Reid, Rohan (DCRA) rohan.reid@dc.gov; Chrappah, Ernest (DCRA) Ernest.Chrappah@dc.gov
Cc: Thomas, Charles (DCRA) Charles.thomas@dc.gov; LeGrant, Matt (DCRA) matthew.legrant@dc.gov; Lynn.underwood@dc.gov
Subject: Re: 5912 9th Street | Illegal Construction | HOA Approval Required

Some people who received this message don't often get email from hassan9291@gmail.com <mailto:hassan9291@gmail.com>. Learn why this is important <http://aka.ms/LearnAboutSenderIdentification>

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Cc: Thomas, Charles (DCRA)
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matt.legrant@dc.gov <mailto:matt.legrant@dc.gov>
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<matt.legrant@dc.gov<mailto:matt.legrant@dc.gov>>, Lynn.underwood@dc.gov<mailto:Lynn.underwood@dc.gov>
<Lynn.underwood@dc.gov<mailto:Lynn.underwood@dc.gov>>
Cc: Mohammad Hassan <hassan9291@gmail.com<mailto:hassan9291@gmail.com>>, Philipps, Bradley
<Bradley.Phipps@katzmedia.com<mailto:Bradley.Phipps@katzmedia.com>>
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Further explained in the attached letter, the HOA understands that permitting that was not authorized by the HOA occurred at our building in September 2017.

We've also learned that the Office of Zoning recently placed a hold on this property related to the unapproved construction of a 5th unit by the developer.

We sincerely appreciate your attention to this matter and the letter attached.

Please expect to hear from the HOA's agents and counsel soon to address these and other matters.

Sincerely,

Jacob Beier (HOA Secretary)
(202) 372-7551
5912 9th Street NW, #3
Washington, D.C. 20011

DCRA is ready for the future. To learn more about our ambitious plans to further enhance the services we provide District residents and businesses, check out our 5-Year Strategic Plan.<https://www.dcrافتutureready.com/>

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To: Melinda.bolling@dc.gov <mailto:Melinda.bolling@dc.gov>
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<matt.legrant@dc.gov <mailto:matt.legrant@dc.gov>>, Lynn.underwood@dc.gov <mailto:Lynn.underwood@dc.gov>
<Lynn.underwood@dc.gov <mailto:Lynn.underwood@dc.gov>>
Cc: Mohammad Hassan <hassan9291@gmail.com <mailto:hassan9291@gmail.com>>, Philipps, Bradley
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On Fri, Jan 7, 2022 at 6:48 PM <+12404826127> wrote:

Voice Message